

No. 73, A.]

[Published July 22, 1949.]

**CHAPTER 498.**

AN ACT to amend 255.03 (3), 255.31, 302.04, 307.02 (1) and 366.14 of the statutes, relating to jury commissioners' and jurors' fees and mileage in certain cases.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 255.03 (3) of the statutes is amended to read:

255.03 (3) In all counties having a population not exceeding 100,000 inhabitants, according to the last federal census, each commissioner shall receive *not less than \$4 nor more than \$8, as fixed by the county board* for each day actually spent in official service, and 10 cents for each mile actually traveled in attending any and all meetings of the commissioners in the discharge of their duties; such compensation and mileage shall be paid by the county treasurer on the order of the clerk of said court, countersigned by the circuit judge. Said clerk shall furnish, at the expense of the county, all articles, books, postage stamps and stationery required by the commissioners. Commissioners already appointed by the circuit judge in counties having more than one court and jurors selected by them shall continue to be commissioners and jurors respectively for all such courts until others are appointed or selected.

SECTION 2. 255.31 of the statutes is amended to read:

255.31 Every grand and petit juror summoned upon any venire shall receive *not less than \$4 nor more than \$8, as fixed by the county board*, for each day's actual attendance upon any circuit court, county court or municipal court from either of which an appeal in such action, as may be for trial, must be taken directly to the supreme court, and \* \* \* 10 cents for each mile actually traveled each day in going and returning by the most usual route; but shall be paid for no day when the court is not in session unless specially ordered by the presiding judge.

SECTION 3. 302.04 of the statutes is amended to read:

302.04 After issue joined and before the commencement of the trial, either party, on paying to the justice \* \* \* *the amount for jurors' fees for one day* to apply on jury fees may demand a jury trial; and a neglect to make such demand is a waiver of the right to trial by jury. The money so advanced shall be paid to the jurors after they have rendered their verdict.

SECTION 4. 307.02 (1) of the statutes is amended to read:

307.02 (1) (a) Witness fees for travel and attendance, not exceeding \$15, unless the justice, by an order entered in his docket, directs that a larger sum (not exceeding \$25) be taxed, in which case he shall state in his order the reasons for making it, and fees of jurors at the rate of \* \* \* *not less than \$4 nor more than \$8 per day, as fixed by the county board*, and \* \* \* 10 cents for each mile necessarily traveled to attend the trial, both coming and going, for each juror in attendance, less the amount advanced by the opposite party when the jury was demanded by him. Jurors' fees, when collected, shall be paid by the justice to the jurors.

(b) *Notwithstanding any contrary provision in any local law, creating a court or conferring additional jurisdiction, jurors' fees and mileage in such courts having justice court jurisdiction shall be as provided in section 307.02 (1) (a) and, where the jurisdiction is greater than that of a justice of the peace, jurors' fees and mileage in such created courts or as to additional jurisdiction, other than that of justices of the peace, given to county courts shall be as provided in section 255.31 and the mileage of jury commissioners shall be 10 cents per mile as to all such courts.*

SECTION 5. 366.14 of the statutes is amended to read:

366.14 The sole compensation of the coroner and deputy coroners for taking inquest or making an investigation to determine the necessity to take inquest shall be \$8 for each day and \$4 for each half day actually and necessarily required for the purpose, and 10 cents for each mile actually and necessarily traveled in performing such duty; provided, that any coroner or deputy coroner may be paid an annual salary and allowance for traveling expenses to be established by the county board pursuant to section 59.15 which shall be in lieu of any and all fees, per diem, compensation for services rendered. The compensation of jurors and of constables and witnesses at such inquest shall be the same as is allowed for like services in justice court, *except that the compensation of jurors shall be the same as that provided for jurors under section 255.31.*

Approved July 18, 1949.